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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,839	08/27/1999	CRAIG R. WHITE	10990926-1	8353

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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/19/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

# Office Action Summary

Application No.

09/384,839

Applicant(s)

WHITE ET AL.

Examiner

Alina N Boutah

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~~2155~~ 2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 7, 8, 13, 14, and 19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 5,220,674 to Morgan. In regards to claims 1, 7, and 13, Morgan teaches in a networked computer system including at least one client system (Fig. 1, No. 18a and 18b), a print server (Fig. 1, No. 10) and at least one printer accessible to the print server (Fig. 1, No. 16a and 16b) wherein the at least one client system and the print server are interconnected by a communications network (Fig. 1, No. 12, 14) and wherein a client system includes a processor for executing an application program for issuing a print job including print instructions for printing a document file and document data (Fig. 10) to be printed to the print server, the print server being responsive to a print job for directing the print instructions and document data to a printer accessible to the providing corresponding job result information to the print server (Fig. 1, No. 10), a system resource usage monitoring system, comprising in the print server, a job processor for forwarding the print instructions and document data of a print job to a printer accessible to the print server (Col. 6, Ln. 55-61), and extracting job attribute information from the print job wherein the job attribute information includes information identifying system resources to be used in executing the print job (Col. 7, Ln. 20-29), a resource agent for receiving job attribute information from the job processor and job result information returned from the

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printer wherein the job result information identifies the results achieved by the printer in response to the print job (Col. 10, Ln. 14-16), and forwarding the job attribute information and the job result information to a resource collecting server (Col. 10, Ln. 16-19), the resource collecting sever including a resource collector for receiving the job attribute information and the job result information and generating corresponding job detail information representing system resources used in executing the print job (Fig. 1, No. 10), and a database for storing the job details (Col. 10, Ln. 27-29).

3. Regarding Claims 2, 8, and 14, Morgan teaches the resource usage monitoring system of claim 7, further comprising: a resource manager system communicating with the resource collecting server through the network for reading the job details from the database and providing the job details to a user of the resource manager system for monitoring resource usage (Col. 6, Ln. 20-26).

4. Regarding claim 19, Morgan teaches the method for monitoring usage of system resources of claim 13 wherein the resource is a printer, the resource job is a print job and the job instructions and job data of the resource job are printing instructions and document data (Col. 1, Ln. 11-17).

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2      Claims 3, 4, 9, 10, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Ruiz. Morgan teaches all the limitation of claim 9 except for the dynamic discovery function. Morgan fails to teach the resource usage monitoring system wherein: the resource agent includes a dynamic discovery function for identifying a current location of a current resource collecting server on the network, for transmitting job attribute information and job result information to the current resource collecting server. Ruiz teaches the resource usage monitoring system, wherein: the resource agent includes a dynamic discovery function for identifying a current location of a current resource collecting server on the network, for transmitting job attribute information and job result information to the current resource collecting server (Col. 5, Ln. 40-41). One of the ordinary skill in the art at the time the invention was made would employ the dynamic discovery function for identifying a current location of a current resource collecting server on the network in order to save time when the job information needs to be retrieved.

3.      Claims 5, 6, 11, 12, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Barrett. Morgan teaches the resource usage monitoring system of claim 11, and a job capture mechanism for extracting the job attribute information from the captured print instructions and document data. Morgan fails to teach the resource usage monitoring system, wherein: a client system further includes a local printer accessible to the client system, wherein the client system transmits the print instructions and document data of a print job to the local printer, and a job capture mechanism for capturing the print instructions and document data transmitted to the local printer and job result information returned by the local printer, and forwarding the print instructions, document data and job result information to the print server.

Barrett teaches the resource usage monitoring system of, wherein: a client system further includes a local printer accessible to the client system (Fig. 1, No. 105), wherein the client system transmits the print instructions and document data of a print job to the local printer, and a job capture mechanism for capturing the print instructions and document data transmitted to the local printer and job result information returned by the local printer, and forwarding the print instructions, document data and job result information to the print server (Col. 5, Ln. 28-32). One of the ordinary skill in the art at the time the invention was made would employ a local printer accessible to the client system and forwarding the print instructions document data and job result information to the print server in order to maximize the print servers status control and capability over the entire network.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6301012 to White et al.

U.S. Patent No. 5566278 to Patel et al.

U.S. Patent No. 6216159 to Chintakrindi et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The examiner can normally be reached on Monday-Friday (8:30 am- 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on (703) 305-9648. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 305-3718 for regular communications and (703) 305-3718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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April 8, 2002

  
DAVID WILEY  
PRIMARY EXAMINER